IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.837 of 2006.
IN
FIRST APPEAL ST.NO.3826 OF 2006.

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri Vipin Kamdi i/by M/s.P.V.Nichani & Co. for the Applicant.

Shri Sharma for the Respondents.

CORAM : ABHAY S.OKA, J.

DATED : 20th April, 2006.

P.C.:

1. Heard the learned advocate for the Applicant and the learned Advocate for the Respondents. The application is strongly opposed by the Advocate appearing for the Respondents and submitted that there is no ground for condonation of delay made out by the Applicant.

2. In view of the averments made in the Civil Application, sufficient cause is made out for condonation of delay. However, the Respondents will have to be compensated by ordering payment of costs.

3. Hence rule is made absolute in terms of

prayer clause (a) subject to condition that the Applicant will pay costs of Rs.5000/- to the Respondents within a period of four weeks from today. Payment of costs will be a condition precedent. The deposit of the amount of costs in this Court within the stipulated period will be treated as sufficient compliance with the order.

Judge.